

KJC CONSULTING

Business and Economic Consultants

Kevin J. Cooper

Dec. 8, 1994

To: Joe Garlitz, Elgin City Recorder
From: Kevin Cooper, Elgin 2010 Recorder
RE: Request for Action on Agreement With Gary Hathaway

The Elgin 2010 Committee has instructed me to request your cooperation in resolving a problem. I have included a copy of a memorandum I submitted to the Elgin City Council dated March 25, 1994, one page from the minutes of the April 12, 1994 Elgin City Council minutes, and a letter written by you to Gary Hathaway in October, 1994. These documents are incorporated herein by reference.

I recommended the City Council procure the services of Gary Hathaway and my firm in a memorandum dated March 25, 1994 to provide two work items needed to write grant applications for the Hunaha Park Project. I recommended Gary perform design documentation and provide cost estimates on the project based on his experience in this type of work. In that memorandum, I stated "Two funding programs will be available in June if these items are completed at that time." While this was not formally set as a deadline, it was a target date for the work to be completed.

The city council approved the work as presented in the memorandum at that meeting. The council's motion was to approve the work as proposed. The proposal made included the memorandum and referenced in the minutes as "...to determine the scope of work required for the development of the park...a preliminary design of an interpretive trail in the vicinity of the park...(and) an economic assessment..." I completed my work on the economic assessment several months ago and presented that work to the council. However, Mr. Hathaway has made two progress reports in September and October, 1994. After his last report, the council instructed Mr. Hathaway to work with the 2010 Committee to complete his work.

After this meeting, you sent a letter to Mr. Hathaway indicating that his work to date did not include any cost estimates which was part of the agreement. You also expressed concern in that letter that the work had been needed by June, 1994 and was still not near completion. The 2010 Committee discussed the issues you raised in this letter and agreed on your assessment of the situation.

I invited Mr. Hathaway to attend our Nov. 21 meeting. Mr. Hathaway indicated he would be available and confirmed he would attend about two weeks prior to the meeting. However, about two hours before the meeting was scheduled to begin Mr. Hathaway called me from Portland to say he would not be in attendance.

The 2010 Committee discussed this series of events at the Nov. 21, 1994 meeting and came to the conclusion that Mr. Hathaway was not meeting the intent and was not making acceptable progress on the work approved in April, 1994. This conclusion was specifically based on the lack of any cost information provided to date and being well beyond the date indicated for the work to be completed. A contributing factor to this situation was the lack of a written agreement between the City and Mr. Hathaway.

As a result, the 2010 Committee is recommending the City Council document the terms and conditions which were intended in its action taken at the April, 1994 city council meeting. The following conditions are recommended to be included in this document based on the information included in this memorandum:

1. Mr. Hathaway will attend all 2010 meetings until his work is completed.
2. The work will be completed by Feb. 20, 1995.
3. The design of the project will be consistent with the goals and objectives of the 2010 Committee.
4. The work will include cost estimates with sufficient detail needed to seek funding.
5. Failure to accept or meet these terms shall constitute an immediate termination of agreement by Mr. Hathaway.

If you have any questions, I will be available to answer them either before or during the next council meeting. I have advised Mr. Hathaway of these recommendations and advised him to attend your next meeting.

Thank you for assistance.

Elgin City Council - April 12, 1994 Minutes

Ellen Green said she did not want the park to be used for construction and suggest the City purchase the lot next to the Chevron service station.

Sharon Stover stated that she had understood that the building was to be only a City Hall and wanted to know how the library became a part of the building.

Councilor Hintermeister stated that the City would build the City Hall whether or not the bond election passed. The Council added the library to the project as an option for the public, since the City was responsible for housing the library as a City function. If the public was not willing to bond for the construction of a library, it would stay at the Community Center.

Mr. Garlitz briefly reviewed the history of the Council's deliberation on the providing a City Hall. The primary objective has been to provide an adequate office at the least cost. An essential element of keeping the cost down is to use existing City property and to have the construction done as an industrial arts project with the high school.

Mayor Gifford asked Councilor Smith to head a committee to review the various options discussed and to report back to the Council as soon as possible. Jesse McDonald, Veneta McVey, Ray McVey, and Bob Dawes volunteered to be on the committee.

New Business

Hunaha Park project assessment; KJC Consulting, Gary Hathaway

Councilor Cooper stated that he had a personnel, direct financial interest in this item on the agenda. He therefor retired from the Council and took a seat next to Mr. Gary Hathaway. Mr. Hathaway is a park landscape architect. He made a presentation to the Council regarding doing some preliminary work on the Hunaha Park development. Mr. Hathaway and KJC Consulting are proposing to do a preliminary study to determine the scope of work required for the development of the park. The proposal also includes a preliminary design of an interpretive trail along the Grande Ronde River in the vicinity of the park. This work is needed to move the park development forward.

Mr. Hathaway is proposing to spend \$3,500 on design and \$1,500 on an economic assessment of the park.

The City has budgeted \$6,000 for the development of the park in this budget year, \$3,800 remain in this line item. An additional \$1,200 is available from the General Fund Contingency. After discussion, Councilor Smith moved to allocate the remaining \$3,800 and \$1,200 from contingency for this preliminary design and assessment as proposed, with Councilor Churchill as second. The vote was four for approval, with Councilor Cooper abstaining, motion carried.

Kevin Cooper, still retired from the Council and acting as the Coordinator for 2010, reported that the US Bank had awarded the 2010 committee \$2,000 to support the 2010 activities. Members of the 2010 Committee present at this council meeting were Ray McVey, Veneta McVey, Ellen Green, Bob Dawes, Ellen Dawes, Kathy Gifford, and Joe Garlitz. After discussion of the needs for the money and the 2010 projects, Councilor Hintermeister moved to use the full \$2,000 to extend the 2010 coordinators position, with Councilor Churchill as second. The vote was four for approval with Councilor Cooper abstaining, motion carried.

Councilor Cooper was reseated with the Council.

Skate Boarding on Sidewalks

Mr. Garlitz had a citizen express concern regarding kids skateboarding on the sidewalks. After a discussion the council suggested that the Police Chief might include skate boarding in his bicycle safety presentation to the schools. The matter was then tabled.

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Business and Economic Consultants

Kevin J. Cooper

March 25, 1994

MEMORANDUM

To: Elgin City Council

From: Kevin Cooper, 2010 Coordinator 

RE: Action Recommendations for Project Funding

I am recommending two actions which are needed. Joe Garlitz indicated funds were available in the city's current budget to pay for these activities. Joe also said he could provide you with the details.

The first action needed is completion of an economic assessment and project design components for Hunaha Park. I invited Gary Hathaway to the April 12 City Council meeting to discuss the design components. These two actions are needed before any grant applications can be prepared. Two funding programs will be available in June if these items are completed at that time.

Costs:

Design Components	3,500
Economic Assessment	\$1,500

Total Costs \$5,000

If you decide to approve these expenditures at your April meeting, you could hire Gary to contract for the entire amount of the work or you could split it up and have me perform the economic assessment work under my existing contract. I would recommend Gary to perform the Design Components work as he is highly qualified, a local contractor, and serves on a committee that is associated with a potential funding source for part of the project.

The second action is approving additional funds to complete the grant writing schedule for this year, I would estimate an additional \$4,000 is needed. This would allow me to prepare the grant applications on projects which will be budgeted for next year. Since the 2010 Committee will be scheduling work on projects over the next few months, allocating additional funds will communicate how much work will be available through my contract for the next few months. It will also demonstrate the city's continuing commitment to the 2010 process.

Thank you for your consideration of these recommendations.

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Business and Economic Consultants
Kevin J. Cooper

Nov. 22, 1994

Gary Hathaway
Planwest Associates
1610 J Avenue
La Grande, OR 97850

RE: Completion of Architectural Work on Hunaha Park

Gary:

I am writing this letter at the request of the Elgin 2010 Committee.

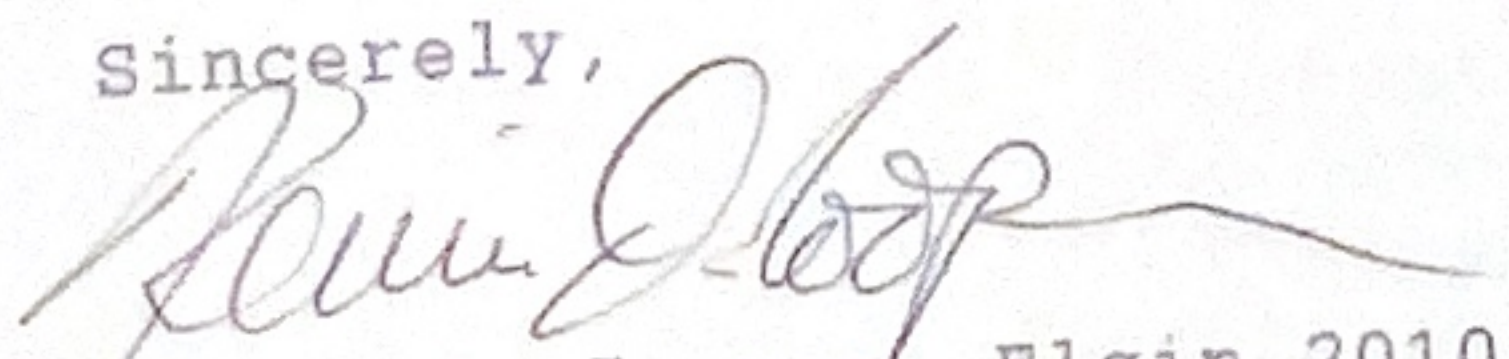
On November 7, 1994, I informed you that you were to present your work on the Hunaha Park Project to the 2010 Committee. You confirmed you would attend. As a result, the committee allocated one hour of its agenda at its Nov. 21, 1994 meeting for your presentation and discussion.

However, you attended a conference in Portland on that date and failed to notify us of your plans until two hours before the meeting was scheduled to start. This has caused great concern with the committee given the nature of the letter sent to you last month from Joe Garlitz. As a result, the 2010 Committee has decided on the following.

First, we are requesting the Elgin City Council prepare a written contract requiring you to attend our monthly 2010 meetings until your work on this project is completed. Second, we are asking the city to require your work be completed by Feb. 20, 1995. Finally, we are recommending the city terminate your services if either of these conditions are not met. The next Elgin City Council meeting is scheduled for Tuesday Dec. 13, 1994. I would you to attend that meeting.

Our next 2010 Committee meeting is scheduled on Monday Dec. 19, 1994 at the new Elgin School District office building. I will fax you a copy of the agenda and directions to the building prior to the meeting. Call me if you have any questions.

Sincerely,



Kevin J. Cooper, Elgin 2010 Recorder

Copy: Joe Garlitz, Elgin 2010 Chairman
Mary Rose Nichols, Elgin 2010 Facilitator
Elgin 2010 Committee